



COMMONWEALTH OF MASSACHUSETTS  
**Board of Registration  
of  
Hazardous Waste Site Cleanup Professionals**

MINUTES  
of  
BOARD MEETING  
Held on  
January 24, 2012

Meeting Location: MassDEP Northeast Regional Office  
205B Lowell Street  
Wilmington, MA

Prepared by: T. Wood  
[Approved: March 27, 2012]

**List of Documents Used at the Meeting:**

1. Agenda
  2. Draft Minutes of Meeting held on November 15, 2011
  3. Application Dockets
  4. Draft Application Denial Letter
  5. E-mail from approved applicant requesting change to exam schedule
  6. Renewal dockets
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1. **Call to Order:** Elizabeth Callahan called the meeting to order at 2:35 p.m. The other Board members present were Deborah Farnsworth, Kirk Franklin, Christophe Henry, Debra Listernick, Kelley Race, and Farooq Siddique. Board members absent: Gail Batchelder, Jack Guswa and Robert Luhrs. The LSP Board staff members present were Lynn Read, Beverly Roby, Al Wyman and Terry Wood. Also present was Wendy Rundle, the Executive Director of the LSP Association (LSPA), and Wes Stimpson.
  2. **Announcements:** There were no announcements.
  3. **Agenda:** There were no changes to the agenda.
  4. **Minutes:** The Board reviewed the draft minutes of the meeting of the Board held on November 15, 2011. **A motion was made and seconded to approve the draft minutes with a minor edit. The motion was approved unanimously.**
  5. **Decisions Regarding Licensing of Applicants:** The staff presented the following Application Dockets:

New Application Docket Number 1:

ID #	Applicant Name/Company Name	ARP #	REC.
1092	Jason C. Naiden/ National Grid	240	D

A motion was made and seconded to accept the recommendation from Application Review Panel #240, i.e., that the application submitted by Mr. Naiden be denied and that he be found ineligible to take the exam. The motion was approved unanimously.

New Application Docket Number 2:

ID #	Applicant Name/Company Name	ARP #	REC.
4396	Brian J. Horan/Groundwater and Environmental Services, Inc.	241	A
2364	Peter C. Smith/ ECC Horizon	241	A

Mr. Henry, Mr. Siddique and Ms. Listernick were recused and left the room.  
A motion was made and seconded to accept the recommendations from Application Review Panel #241, i.e., that the applications submitted by Mr. Horan and Mr. Smith be approved and that they be found eligible to take the exam. The motion was approved unanimously.

6. **License Renewal Applications:**

A. **Renewal Dockets.** The staff presented the following License Renewal Dockets:

**Renewal Docket #1**  
**Renewal Date: October 30, 2011**  
**New Renewal Date: October 30, 2014**  
Completed requirements within 90-day extension:

LSP #	First	Middle	Last
7394	James	F	Daley
2516	Eric	G	Nelson
9198	Maria	E	Pinaud

**Renewal Docket #2**

**Renewal Date: January 30, 2012**

**New Renewal Date: January 30, 2015**

Has completed all requirements for renewal:

LSP #	Last Name	First Name
7680	Parent	Christopher

**Renewal Docket #3**

**Renewal Date: January 30, 2015**

Completed Renewal Requirements within 1-year Expiration Period

1. Kevin Riley # 2831

**Renewal Docket #4**

**Renewal Date: April 30, 2015**

Completed Renewal Requirements

1. Robert P. Warren #7613

**7. Other Licensing-Related Matters:**

- A. New Panel Assignments and Scheduling.** The following Board members were assigned to Application Review Panel #242: Ms. Race, Ms. Listernick and Mr. Siddique.
- B. Appeals Status Report.** Ms. Wood reported that there are no pending appeals regarding the Board's denial of a license application.
- C. Inactive Status Report.** The staff reported that a total of 8 LSPs are currently on Inactive Status.
- D. Total Number of Active LSPs.** The staff reported that the total number of Active LSPs as of the date of this meeting was 543.

**8. Examinations:**

- A. New Licensees.** The staff reported that the following approved applicants passed the licensing exam and are now LSPs:

	<u>Exam Date</u>
• Joseph Schmidl (#4442)	11/30/2011
• Julianna Connolly (#3598)	12/7/2011
• Timothy Warr (#4832)	12/7/2011
• David Del Marco (#9921)	12/14/2011

- Raimundo Matos (#5427) 12/14/2011
- James Stolecki (#8542) 12/14/2011

**B. Dates of Next Exam:** The staff report that the dates for the next administration of the exam have not yet been scheduled.

**C. Request from applicant to take exam sooner than the spring 2012.** The Board members discussed an e-mail from an approved applicant who was requesting to take the examination sooner than the spring when it will next be offered. Ms. Wood stated that the applicant has taken the exam three times, most recently in December 2011. The applicant stated in the e-mail that she believes that past applicants who were able to take the exam sooner than six months between exam administrations (because the exam was offered more time each year in the past) had an advantage. After discussion, a motion was made and seconded not to allow the applicant to take the exam sooner than the in the spring. The motion passed unanimously. The reason given by the Board members was that, if they were to offer this applicant an opportunity to take the exam on a different date, they should also extend the same opportunity to other approved applicants.

**D. Discussion re: reconvening exam subcommittee.** The Board members discussed that at the next meeting they would discuss this topic more in depth in March 2012 with a goal for the subcommittee to begin work this spring. Ms. Rundle stated that the technical practices group of the LSPA is working on a new case study and hopes to have it completed by June 2012.

**9. Continuing Education Committee Report:**

**A. Course and Conference Approval Requests.** Mr. Wyman reported that the Committee had met earlier in the day and had the following course recommendations to present to the full Board:

Sponsor: NEWMOA  
Course Title: LNAPL: Science, Management and Technology  
Credits Requested: 16 Non-DEP Technical Credits  
Committee Recommendation: **Approve.**

Sponsor: Ram's Horn  
Course Title: Determining Hydraulic Conductivity While Low Flow Sampling  
Credits Requested: 4 Non-DEP Technical Credits  
Committee Recommendation: **Approve.**

Sponsor: Rutgers  
Course Title: Innovative Technologies for Site Remediation  
Credits Requested: 6.5 Non-DEP Technical Credits

Committee Recommendation: **Deny.**

Sponsor: Rutgers

Course Title: Environmental Funding

Credits Requested: 6.5 Non-DEP Technical Credits

Committee Recommendation: **Deny.**

Sponsor: Rutgers

Course Title: Practical Applications of the NJ Site Remediation Program

Credits Requested: 8 Non-DEP Technical Credits

Committee Recommendation: **Deny.**

Sponsor: Rutgers

Course Title: The Role of the Environmental Consultant in Litigation

Credits Requested: 4 Non-DEP Technical Credits

Committee Recommendation: **Deny.**

Sponsor: Rutgers

Course Title: Working with your LSRP

Credits Requested: 6 Non-DEP Technical Credits

Committee Recommendation: **Deny.**

Sponsor: LSPA

Course Title: Advanced Petroleum Forensics Geochemistry

Credits Requested: 8 Non-DEP Technical Credits

Committee Recommendation: **Approve.**

Sponsor: LSPA

Course Title: Applied Fluorescence Tracing Tools to Identify Preferential Groundwater Flow

Credits Requested: 1:2 Conference Technical Credits

Committee Recommendation: **Approve.**

Sponsor: Cura

Course Title: Sediment, Surface Water and Biota Sampling Methods

Credits Requested: 8 non-DEP Technical Credits

Committee Recommendation: **Approve.**

Sponsor: SETAC

Course Title: An Introduction to Emerging Technologies for Environmental Data Monitoring: Loggers to Sensors Network to the Cloud

Credits Requested: 8 Non-DEP Technical Credits

Committee Recommendation: **Approve.**

Sponsor: ECS

Course Title: UST Assessment Monitoring and Regulatory Compliance  
Credits Requested: 4 Non-DEP Technical Credits  
Committee Recommendation: **Approve for 2 credits for 100% attendance; no credit will be offered unless attendee attends 100% of course.**

**A motion was made and seconded to accept the Committee's recommendations. The motion was approved unanimously.**

**B. Other Business**

**1. Waiver Request from James O'Loughlin.** Mr. O'Loughlin requested a waiver of the Board's regulation 309 CMR 3.09(2) (a) that states 'no person may apply continuing education credits earned during one license period toward another license period.' Mr. O'Loughlin last renewed his license on April 30, 2009 and, therefore, must next renew by April 30, 2012. For his previous renewal, he had submitted his renewal paperwork on April 14, 2009. Afterward, on April 29, 2009, he took the 4-credit MassDEP MCP Audit Course. Considering he did not use those 4 credits toward his 2009 renewal, he requests a waiver to be allowed to count those credits toward his April 30, 2012 renewal even though the course was held during his 2009 renewal period. The Committee voted five to two to recommend the waiver. **After discussion, a motion was made and seconded to grant the waiver request. The vote was five in favor (Callahan, Farnsworth, Franklin, Henry and Siddique) to two opposed (Listernick and Race). 309 CMR 2.12 requires a majority of the full Board (i.e. six of ten votes) to approve a waiver petition so the petition did not pass.**

10. **Professional Conduct Committee:** Since all the Board members present at this meeting were also present at the meeting of the Professional Conduct Committee held earlier in the day, the Board agreed to forego a Committee report.
11. **Personnel, Budget, and Fees**
  - A. **Personnel.** The staff reported no personnel changes.
  - B. **Budget.** The staff reported no new developments with the budget.
  - C. **Fees.** Ms. Wood stated that the annual fee invoices had been mailed out.
12. **Status of Board Member Replacements by Governor:** Mr. Wyman stated that he had telephoned Allan Fierce, the former executive director of the Board, regarding whether a member of a state employee union would be a good candidate for the Board's open labor slot. Mr. Wyman said he had spoken with a couple of state employees in environmental agencies who were interested in serving on the Board. Mr. Wyman said that Mr. Fierce told him that historically it had been considered that the labor slot should not be filled with a state employee. After discussion, the Board asked the staff to look back at historical

Board documents regarding the labor slot as well as for past Board articles in the LSPA newsletter soliciting potential candidates for that slot.

**13. Other Business**

**A. Update from LSP Course Subcommittee.** Only one member of the subcommittee was present. The Board will discuss the topic of planning an upcoming training at the next Board meeting.

**B. Discussion regarding potential regulatory changes.** Ms. Wood stated she has not had time to complete a list of potential regulatory changes but will do so for Board's next meeting.

**C. Topic for the next LSP News.** The Board discussed some potential topics such as an article about the open labor slot, potentially an article about a recent disciplinary decision or about settlement of disciplinary cases. Ms. Rundle stated that the deadlines for upcoming issues of the newsletter are the end of February and end of April.

**14. Scheduling of Next Meeting:** The Board plans to meet on March 6, 2012 at MassDEP's Central Regional Office in Worcester.

**15. Adjournment:** The meeting was adjourned at 3:14 p.m.